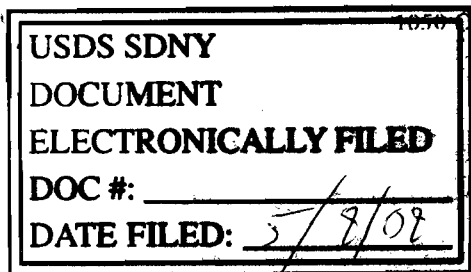


**GIBSON, DUNN & CRUTCHER LLP**  
LAWYERS

A REGISTERED LIMITED LIABILITY PARTNERSHIP  
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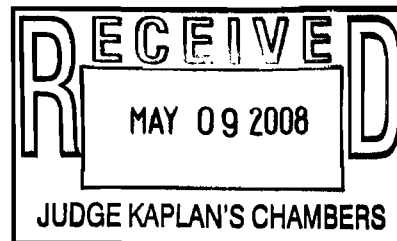


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May 8, 2008



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VIA FACSIMILE

Honorable Lewis A. Kaplan  
United States District Judge  
United States Courthouse  
500 Pearl Street  
Room 1310  
New York, NY 10007

**MEMO ENDORSED**

Client No.

Case dismissed with prejudice and without costs subject to  
right to reinstate by serving and filing a notice to that effect,  
on or before, 7/8/08, if the settlement is not  
consummated by then.

SO ORDERED:

Lewis A. Kaplan  
U.S.D.J.  
5/4/08

Re: *Weight Watchers Int'l, Inc. v. Cooper, 08-cv-02761 (LAK)*

Dear Judge Kaplan:

The parties to the above-captioned suit have reached a settlement and are in the process of preparing a settlement agreement. Accordingly, we respectfully ask that a 60-day conditional dismissal order be issued and that the pretrial conference scheduled for tomorrow be taken off the calendar. This letter is being faxed to chamber pursuant to permission of Mr. Andrew Mohan.

Very truly your,

Terence P. Ross  
Council for Plaintiff,  
Weight Watchers, International, Inc.

cc: Kurt Varricchio, Esq.  
Counsel for Defendant  
Rebecca Cooper